

U.S. DISTRICT COURT for the EASTERN DISTRICT OF TENNESSEE at CHATTANOOGA

JUDGMENT: Case No. 1:05CR37 USA v. Tyshawn Hill

PRESENT: Honorable R. Alton Edgar U.S. District Judge/U.S. Magistrate Judge

Perry Piper
Assistant U.S. Attorney

Charles Bea
Attorney for Defendant

App/Rel

Kimberly Brown
Probation Officer

Kelli Brown
Deputy Clerk

Shannan Andrews
Court Reporter

Interpreter

PROCEEDINGS: NO Plea Agreement accepted by Court PSR guidelines are accurate as modified PSR SEALED

Govt/Deft motion for downward departure: granted denied
upward departure: granted denied Govt motion for third point reduction for acceptance of responsibility granted denied

TESTIMONY BY: Agent Exhibit - Collective #1 -

DEFT COMMITTED TO CUSTODY OF BUREAU OF PRISONS FOR TERM OF life MONTHS. This term consists of:

On each of Cts 1 & 2 to be served concurrently
+ to run consecutive to any state or federal sentence.
DEFT PLACED ON SUPERVISED RELEASE/PROBATION FOR TERM OF 10 YEARS. This term consists of

on each of Cts 1 & 2 to be concurrent.

CONDITIONS OF SUPERVISED RELEASE/PROBATION: Deft shall

- report to Probation Officer w/in 72 hours of release
- not commit another federal, state or local crime
- abide by standard conditions on Local Rule 83.10
- not possess a firearm or other destructive device
- not illegally possess or use a controlled substance
- pay any financial penalty due
- participate in program of mental health treatment and waive all rights to confidentiality regarding treatment
- participate in program of anger management treatment and waive all rights to confidentiality regarding treatment
- comply with any ICE deportation orders
- for a period of ten years, anytime the deft is outside the U.S., supervised release will be tolled
- deft shall report to nearest probation office w/in 48 hours of reentry in the U.S.
- supervised release shall commence upon reentry if tolling period has not expired
- participate in program of testing/treatment for drug/alcohol abuse
- provide Probation Office with access to any required financial info
- not incur new credit charges or open additional lines of credit
- wear electronic device and pay for service at prevailing rate
- maintain telephone w/out any special services or devices
- perform hours of community service
- participate in collection of DNA

OTHER CONDITIONS:

Court recommends deft receive 500 hours substance abuse treatment from the BOP's residential drug treatment facility

OTHER RECOMMENDATIONS:

Purpose of sentence: to protect public + to deter

Interest waived No further payment required after sum of amounts paid by all defts has fully covered compensable injury

FINE: Waived SPECIAL ASSESSMENT: \$200.00 Paid due immediately Interest waived

Court waived fine due to deft's inability to pay Deft informed of right to appeal Remaining counts dismissed

Deft remanded to custody of U.S. Marshal remained in custody remained on bond

Time: 1:45 to 2:15

Date: 9/12/05

CERTIFICATE OF CONVICTION-IMPRISONMENT

Sec. 380.60 C.P.L.

AT A TERM OF THE COUNTY COURT
held in and for the County of Erie, at the Erie County Hall,
In the City of Buffalo, on the 22ND day of FEB., 1994

Present-Honorable TIMOTHY J. DRURY, JCC
INDICTMENT NO: 93-2756 S.C.I. NO. 10099

ADA: D. SLADE
DC: J. ELMORE
CR: M. LANGER

TYSHAWN HILL - DEFENDANT
DOB: 08/27/72
DATE OF ARREST: 12/03/93

(plead guilty)

The defendant above having (XXXXXXXX) in this court, on the 3RD day of JANUARY, 1994 of the crime of ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE 3RD DEGREE, P.L. 110/220.16-12, "C" FELONY

personally appears this day for judgment, the Court informs the defendant, the defendant's counsel and the District Attorney of their rights to make statements and rebuttal to the Courts remarks under Section 380.50 of the C.P.L.

Judgment is thereupon pronounced that the said defendant be imprisoned in the
At N.Y., for the term of MINIMUM FIVE (5)
YEARS, MAXIMUM FIFTEEN (15) YEARS, CONCURRENT TO 92-2639 & 93-1218,
\$150.00/5.00 MANDATORY SURCHARGE/CVAF WAIVED, IMPOSED UNDER 92-
2639.

I HEREBY CERTIFY the foregoing to be a true copy of the entry of Judgment upon the minutes in the above-entitled action.

WITNESS my hand and the seal of said court this

8th Day of September, 2005

David J. Webster

DAVID J. SWARTS
Erie County Clerk



SUPREME/COUNTY COURT OF THE STATE OF NEW YORK, COUNTY OF ERIE
SENTENCE AND COMMITMENT

THE PEOPLE OF THE STATE OF NEW YORK

-VS-

address *Typhon Hill*
656 Woodlawn Ave
Buffalo N.Y. 14206

INDICTMENT # *93-2756* SGT 10099
DOB *8-27-72* DOA *12-3-93*
DATE CRIME COMMITTED *12-3-93*
NYSIS # *70906775*

JSC/JCC

PRESENT
HONORABLE *Timothy S. Bruey*

THE ABOVE NAMED DEFENDANT HAVING BEEN FOUND GUILTY BY PLEA/VERDICT OF THE CRIME OF:

110/220.16-1 117 C POS 3⁰

UNDER THE ABOVE-DESIGNED INDICTMENT, IT IS ORDERED THAT THE DEFENDANT BE AND HEREBY IS SENTENCED TO:

A DEFINITE TERM OF IMPRISONMENT WHICH SHALL HAVE A TERM OF: _____

TO BE SERVED INTERMITTENTLY EACH: _____
DAY IN: _____ TIME IN: _____ DAY OUT: _____ TIME OUT: _____

FIRST DATE IN: _____ LAST DATE OF CONFINEMENT: _____

AN INDETERMINATE TERM OF IMPRISONMENT WHICH SHALL HAVE A MAXIMUM TERM OF: *15* YEARS
AND A MINIMUM TERM OF: *5* YEARS.

JUVENILE OFFENDER 2nd FELONY OFFENDER PERSISTENT FELONY OFFENDER

AND THAT THE SENTENCE HEREIN SHALL RUN:

CONCURRENT *with 92-2639 + 93-1218*

CONSECUTIVE

A MANDATORY SURCHARGE OF \$ *100 PER DAY under 92-2639* IMPOSED AND TO BE COLLECTED BY:

CORRECTIONAL FACILITY PROBATION CHIEF CLERKS OFFICE

A MANDATORY SURCHARGE WAIVED.

AND THAT THE DEFENDANT BE AND HEREBY IS COMMITTED TO THE CUSTODY OF THE DEPARTMENT OF CORRECTION FOR THE STATE OF NEW YORK/COUNTY OF ERIE UNTIL RELEASED IN ACCORDANCE WITH THE LAW, AND

BEING A MALE/FEMALE PERSON, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF NEW YORK STATE IS DIRECTED TO DELIVER HIM/HER TO THE **ERIE COUNTY CORRECTIONAL FACILITY** AT ALDEN, NEW YORK.

BEING A MALE PERSON TWENTY-ONE YEARS OLD OR OLDER, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF THE STATE OF NEW YORK IS DIRECTED TO DELIVER HIM TO THE **WENDE CORRECTIONAL FACILITY** AT ALDEN, NEW YORK.

BEING A MALE PERSON MORE THAN SIXTEEN AND LESS THAN TWENTY-ONE YEARS OLD, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF THE STATE OF NEW YORK IS DIRECTED TO DELIVER HIM TO THE **RECEPTION CENTER LOCATED AT ELMIRA**, NEW YORK.

BEING A FEMALE PERSON, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF THE STATE OF NEW YORK IS DIRECTED TO DELIVER HER TO THE **BEDFORD HILLS CORRECTIONAL FACILITY** LOCATED AT BEDFORD HILLS, NEW YORK.

OR THAT THE DEFENDANT BE AND HEREBY IS COMMITTED TO THE CUSTODY OF THE DIRECTOR OF THE DIVISION FOR YOUTH OF THE STATE OF NEW YORK UNTIL RELEASED IN ACCORDANCE WITH THE LAW, AND

BEING A MALE/FEMALE PERSON, UNDER SIXTEEN YEARS OLD AT THE TIME OF COMMISSION OF THE CRIME, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF THE STATE OF NEW YORK IS DIRECTED TO DELIVER HIM/HER TO A FACILITY DESIGNATED BY THE DIVISION FOR YOUTH.

REMARKS _____

A TRUE EXTRACT FROM THE MINUTES



CERTIFIED
JAIL TIME
CREDIT

Paty Oliver
SIGNATURE

COURT CLERK

2-22-94
DATE

SIGNATURE

TITLE

COURT COPY
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STATE OF NEW YORK
COUNTY COURT : COUNTY OF ERIE

THE PEOPLE OF THE STATE OF NEW YORK

WAIVER OF INDICTMENT

vs.

S.C.I. NO. 10099
File No. 93-2756

TYSHAWN HILL

I, the defendant named above, having been held for action of a Grand Jury on the charge(s) of:

A. CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE 3RD DEGREE P.L. §220.16-12

hereby waive indictment and consent to be prosecuted by a Superior Court Information charging the following offense(s):

1. ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE 3RD DEGREE
P.L. §110.00-220.16-12

A. DECEMBER 3, 1993, at approximately 12:15 AM

Approximate Date and Time of the commission of above offense

B. 60 MARTHA ST., CITY OF BUFFALO, County of Erie, State of New York

Approximate Place of the commission of the above offense

I am aware that:

(a) under the Constitution of the State of New York I have the right to be prosecuted by indictment filed by a Grand Jury;

(b) I waive such right and consent to be prosecuted by Superior Court Information to be filed by the District Attorney;

(c) the Superior Court Information to be filed by the District Attorney will charge the offenses in this waiver; and

(d) the Superior Court Information to be filed by the District Attorney will have the same force and effect as an indictment filed by a Grand Jury.

This Waiver was signed by the defendant in open Court and in my presence.

Tyshawn Hill

Signature

TYSHAWN HILL

Defendant

John Elmore

Signature

JOHN V. ELMORE, ESQ.

Defense Attorney

Glenn PinCUS

Signature

GLENN PINCUS, ESQ.

Assistant Dist. Atty.

Kevin M. Dillon
KEVIN M. DILLON
DISTRICT ATTORNEY OF ERIE COUNTY

This Court being satisfied that this waiver complies with the provisions of Sections 195.10 and 195.20 of the Criminal Procedure Law, it is ORDERED, that this waiver is approved.

JANUARY 4, 1994 GRANTED Enter.

JAN 3 1994

Hon. TIMOTHY J. DPURY, J.C.C.

COUNTY COURT : COUNTY OF ERIE

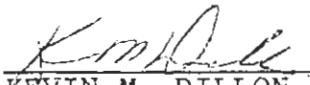
THE PEOPLE OF THE STATE OF NEW YORK
vs.

TYSHAWN HILL

SUPERIOR COURT INFORMATION
No. 10099

File No.
93-2756

I, KEVIN M. DILLON, District Attorney of the County of Erie, by this Information accuse TYSHAWN HILL of the following crime: ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE, in violation of Section 110.00-220.16-12 of the Penal Law, in that he, the said TYSHAWN HILL, on or about DECEMBER 3, 1993, in this County, attempted to knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances of an aggregate weight of one-half ounce or more containing a narcotic drug, to wit: cocaine, as listed in Schedule II(b)(4) of Section 3306 of the Public Health Law.


KEVIN M. DILLON
DISTRICT ATTORNEY OF ERIE COUNTY

INFORMATION COMPLAINT
BUFFALO POLICE DEPARTMENT
THE CITY COURT OF BUFFALO,
COUNTY OF ERIE, STATE OF NEW YORK

FAMILY OFFENSE

Def: _____
(Relationship to victim)

Victim: _____
(Relationship to defendant)
(Defendant's Address) (Below)

THE PEOPLE OF THE STATE OF NEW YORK
(Defendant's Name) (Below)

V.S. TYSHAWN A. HILL

28 VERDUN BFLO, NY 14214

(Complainant's Name) (Below)

(Address or Police Unit) (Below)

I, DET. D. RINALDO

NARCOTICS

accuse TYSHAWN A. HILL

, the defendant(s)

in this action, that on or about the 3RD day of DECEMBER, 1993 at or about 12:15 A.M.
in the City of Buffalo, did *intentionally, *knowingly, *recklessly, *unlawfully, *XXXXXX commit the *XXXXXX
XXXXXX *felony of SEE THE BELOW LISTED CHARGES , contrary to
the provisions of Section 220.16 Subdivision 1 XXXXXX
Section 220.16 Subsection 12 of the Penal Law of the State of New York *
Chapter 265.02 Section 4 (3 CTS) XXXXXX

(Set forth below the statement of the complainant, based upon personal knowledge, or upon information and belief, alleging facts of an evidentiary character, supporting, or tending to support, the charges.) *STRIKE ALL WORDS NOT APPLICABLE

The facts upon which this accusation is based are as follows: *A. OF MY OWN KNOWLEDGE XXXXXX

220.16-1--CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE, 3RD DEGREE
IN THAT THE DEFENDANT, WHILE AT 60 MARTHA, DID KNOWINGLY AND UNLAWFULLY POSSESS A NARCOTIC DRUG, TO WIT, CRACK COCAINE, WITH THE INTENT TO SELL IT, IN THAT THE DEFENDANT DID WHILE AT 60 MARTHA WHILE OFFICERS WERE EXECUTING A SEARCH WARRANT SIGNED BY JUDGE FIGUEROA DID HAVE IN HIS POSSESSION AND UNDER HIS CONTROL 70 INDIVIDUALLY PACKAGED BAGS OF CRACK COCAINE.

220.16-12--IN THAT THE DEFENDANT, WHILE AT 60 MARTHA, DID KNOWINGLY AND UNLAWFULLY POSSESS ONE OR MORE PREPARATIONS, COMPOUNDS, MIXTURES OR SUBSTANCES OF AN AGGREGATE WEIGHT OF ONE-HALF OUNCE OR MORE CONTAINING A NARCOTIC DRUG, TO WIT, CRACK COCAINE, IN THAT THE DEFENDANT DID WHILE AT 60 MARTHA WHILE OFFICERS WERE EXECUTING A SEARCH WARRANT SIGNED BY JUDGE FIGUEROA DID HAVE IN HIS POSSESSION AND UNDER HIS CONTROL TWO SANDWICH BAGS CONTAINING CRACK COCAINE.

I, DET. D. RINALDO, FROM MY EXPERIENCE AND TRAINING AS A POLICE OFC RECOGNIZE THE YELLOWISH-WHITE ROCK SUBSTANCE MATTER SEIZED TO BE CRACK COCAINE.

265.02-4--(3 CTS)--CRIMINAL POSSESSION OF A WEAPON, 3RD DEGREE
IN THAT THE DEFENDANT, WHILE AT 60 MARTHA DID POSSESS THREE LOADED FIREARMS, TO WIT: ONE LONCIN .380, SERIAL #213489, ONE LORCIN .380, SERIAL #211381, ONE HIPOINT 9MM, SERIAL #025437, IN THAT THE DEFENDANT DID WHILE AT 60 MARTHA WHILE OFFICERS WERE EXECUTING A SEARCH WARRANT SIGNED BY JUDGE FIGUEROA HAVE IN HIS POSSESSION AND UNDER HIS CONTROL THE ABOVE LISTED WEAPONS WHICH WERE LOADED.

*SEARCH WARRANT WAS EXECUTED AT 60 MARTHA (LWR APARTMENT).

Page 1 of _____ Pages

DAW

NOTICE: False statements made herein are punishable as a class "A" misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York. ***** Forms P-60 & P-60A must be signed by the Complainant.*****

D. Rinaldo

Date DECEMBER 3RD 19 93

(Signed)

Complainant

DET. D. RINALDO

NARCOTICS

2:50

A.M.

(Police Officer)

(Rank)

(Command)

(Time)

Supporting Deposition attached: Yes _____ No _____ Admissions made? _____ Yes _____ No, If yes, include in narrative or supporting deposition.

2nd Platoon

Pre-trial Identification Made Yes _____ No

Assignment

Case 1:05-cr-00037-CLC-SKL Document 59 Filed 09/12/05 Page 6 of 15 PageID #:
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STATE OF NEW YORK

COUNTY

COURT

COUNTY OF ERIE

THE PEOPLE OF THE STATE OF NEW YORK

against

SUPERIOR COURT INFORMATION

WAIVER OF INDICTMENT

TYSHAWN HILL

FILE NO. 93-2756
S.C.I. No. 10099

KEVIN M. DILLON
District Attorney of Erie County
25 Delaware Avenue
Buffalo, N.Y. 14202-3903
(716) 858-2424

SIR:

PLEASE TAKE NOTICE; that a
which the within is a copy, was duly entered in the office of the County Clerk of Erie County, on the
day of , 19

KEVIN M. DILLON
District Attorney of Erie County

TO:

, Attorney(s) for

TO:

Attorney(s) for

Due and personal service of a
the within is a copy, and notice of entry thereof, is hereby admitted this day of , of which
19

Attorney(s) for

STATE OF NEW YORK, COUNTY OF

SS:

deponent is not a party to the action, is over 18 years of age and resides at
On , 19 , deponent served the within

, being duly sworn deposes and says:

upon , attorney(s) for the

at
the address designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a post-paid properly
addressed wrapper in a post office-official depository under the exclusive care and custody of the United States Post Office within
the State of New York.

CERTIFICATE OF CONVICTION-IMPRISONMENT

Sec. 380.60 C.P.L.

AT A TERM OF THE COUNTY COURT
held in and for the County of Erie, at the Erie County Hall,
In the City of Buffalo, on the 22ND day of FEB., 1994

Present-Honorable TIMOTHY J. DRURY, JCC
INDICTMENT NO: 93-1218-001

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

ADA: D. SLADE
DC: J. ELMORE
CR: M. LANGER

TYSHAWN A. HILL - DEFENDANT
DOB: 08/27/72
DATE OF ARREST: 08/26/93

(plead guilty)

The defendant above having (XXXXXXX) in this court, on the 3RD day of JANUARY, 1994 of the crime of ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE 3RD DEGREE, P.L. 110/220.16-1, "C" FELONY

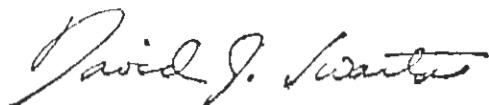
personally appears this day for judgment, the Court informs the defendant, the defendant's counsel and the District Attorney of their rights to make statements and rebuttal to the Courts remarks under Section 380.50 of the C.P.L.

Judgment is thereupon pronounced that the said defendant be imprisoned in the At N.Y., for the term of MINIMUM FIVE (5) YEARS, MAXIMUM FIFTEEN (15) YEARS, CONCURRENT TO 92-2639 & 93-2756, \$150.00/5.00 MANDATORY SURCHARGE/CVAF IMPOSED TO COVER ALL THREE FILES.

I HEREBY CERTIFY the foregoing to be a true copy of the entry of Judgment upon the minutes in the above-entitled action.

WITNESS my hand and the seal of said court this

8th Day of September, 2005



DAVID J. SWARTS
Erie County Clerk



SUPREME/COUNTY COURT OF THE STATE OF NEW YORK, COUNTY OF ERIE
SENTENCE AND COMMITMENT

THE PEOPLE OF THE STATE OF NEW YORK

VS.

address

1656 (e) Meadowlawn Ave.

PRESENT
HONORABLE

Timothy S. Drury

INDICTMENT # 93-1218

DOB 8-27-72 DOA

DATE CRIME COMMITTED 11-29-92

NYSIIS # 70906775

1501JCC

THE ABOVE NAMED DEFENDANT HAVING BEEN FOUND GUILTY BY PLEA/VERDICT OF THE CRIME OF:

10/20/16-1

UNDER THE ABOVE-DESIGNED INDICTMENT, IT IS ORDERED THAT THE DEFENDANT BE AND HEREBY IS SENTENCED TO:

A DEFINITE TERM OF IMPRISONMENT WHICH SHALL HAVE A TERM OF: _____

TO BE SERVED INTERMITTENTLY EACH: _____
DAY IN: _____ TIME IN: _____ DAY OUT: _____ TIME OUT: _____

FIRST DATE IN: _____ LAST DATE OF CONFINEMENT: _____

AN INDETERMINATE TERM OF IMPRISONMENT WHICH SHALL HAVE A MAXIMUM TERM OF: 15 YEARS
AND A MINIMUM TERM OF: 5 YEARS.

JUVENILE OFFENDER 2nd FELONY OFFENDER PERSISTENT FELONY OFFENDER
AND THAT THE SENTENCE HEREIN SHALL RUN:

CONCURRENT with 92-2639 + 93-2756

CONSECUTIVE

A MANDATORY SURCHARGE OF \$ 155.00 IMPOSED AND TO BE COLLECTED BY:

CORRECTIONAL FACILITY PROBATION CHIEF CLERKS OFFICE

A MANDATORY SURCHARGE WAIVED.

AND THAT THE DEFENDANT BE AND HEREBY IS COMMITTED TO THE CUSTODY OF THE DEPARTMENT OF CORRECTION FOR THE STATE OF NEW YORK/COUNTY OF ERIE UNTIL RELEASED IN ACCORDANCE WITH THE LAW, AND

BEING A MALE/FEMALE PERSON, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF NEW YORK STATE IS DIRECTED TO DELIVER HIM/HER TO THE **ERIE COUNTY CORRECTIONAL FACILITY** AT ALDEN, NEW YORK.

BEING A MALE PERSON TWENTY-ONE YEARS OLD OR OLDER, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF THE STATE OF NEW YORK IS DIRECTED TO DELIVER HIM TO THE **WENDE CORRECTIONAL FACILITY** AT ALDEN, NEW YORK.

BEING A MALE PERSON MORE THAN SIXTEEN AND LESS THAN TWENTY-ONE YEARS OLD, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF THE STATE OF NEW YORK IS DIRECTED TO DELIVER HIM TO THE **RECEPTION CENTER LOCATED AT ELMIRA**, NEW YORK.

BEING A FEMALE PERSON, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF THE STATE OF NEW YORK IS DIRECTED TO DELIVER HER TO THE **BEDFORD HILLS CORRECTIONAL FACILITY** LOCATED AT BEDFORD HILLS, NEW YORK.

OR THAT THE DEFENDANT BE AND HEREBY IS COMMITTED TO THE CUSTODY OF THE DIRECTOR OF THE DIVISION FOR YOUTH OF THE STATE OF NEW YORK UNTIL RELEASED IN ACCORDANCE WITH THE LAW, AND

BEING A MALE/FEMALE PERSON, UNDER SIXTEEN YEARS OLD AT THE TIME OF COMMISSION OF THE CRIME, THE ERIE COUNTY SHERIFF'S DEPARTMENT OF THE STATE OF NEW YORK IS DIRECTED TO DELIVER HIM/HER TO A FACILITY DESIGNATED BY THE DIVISION FOR YOUTH.

REMARKS _____

A TRUE EXTRACT FROM THE MINUTES



CERTIFIED
JAIL TIME
CREDIT

Ruth Oliver
SIGNATURE

COURT CLERK

2/22/94
DATE

SUPREME COURT : ERIE COUNTY

THE PEOPLE OF THE STATE OF NEW YORK

against

Indictment No.
93-1218-001

MICHAEL GRIFFIN
TYSHAWN A. HILL

THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment
accuse MICHAEL GRIFFIN of the following crime:

FIRST COUNT: Criminal Sale of a Controlled Substance in
the Third Degree, in that he, the said MICHAEL GRIFFIN, on or
about the 29th day of November, 1992, in this County, knowingly
and unlawfully sold a narcotic drug, to wit: cocaine, as listed
in Schedule II(b)(4) of Section 3306 of the Public Health Law, to
an undercover police officer.

SECOND COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE,
by this indictment accuse MICHAEL GRIFFIN of the following crime:

Criminal Possession of a Controlled Substance in the
Third Degree, in that he, the said MICHAEL GRIFFIN, on or about
the 29th day of November, 1992, in this County, knowingly and
unlawfully possessed a narcotic drug, to wit: cocaine, as listed
in Schedule II(b)(4) of Section 3306 of the Public Health Law,
with intent to sell the same.

THIRD COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE,
by this indictment accuse MICHAEL GRIFFIN of the following crime:

Criminal Sale of a Controlled Substance in the Third
Degree, in that he, the said MICHAEL GRIFFIN, on or about the 12th
day of January, 1993, in this County, knowingly and unlawfully
sold a narcotic drug, to wit: cocaine, as listed in Schedule
II(b)(4) of Section 3306 of the Public Health Law, to an
undercover police officer.

FOURTH COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE,
by this indictment accuse MICHAEL GRIFFIN of the following crime:

Criminal Possession of a Controlled Substance in the
Third Degree, in that he, the said MICHAEL GRIFFIN, on or about
the 12th day of January, 1993, in this County, knowingly and
unlawfully possessed a narcotic drug, to wit: cocaine, as listed
in Schedule II(b)(4) of Section 3306 of the Public Health Law,
with intent to sell the same.

FIFTH COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE,
by this indictment accuse MICHAEL GRIFFIN and TYSHAWN A. HILL, and
each of them, of the following crime:

Criminal Sale of a Controlled Substance in the Third
Degree, in that they, the said MICHAEL GRIFFIN and TYSHAWN A.
HILL, each being intentionally aided by the other, on or about the
13th day of January, 1993, in this County, knowingly and
unlawfully sold a narcotic drug, to wit: cocaine, as listed in
Schedule II(b)(4) of Section 3306 of the Public Health Law, to an

undercover police officer.

SIXTH COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment accuse MICHAEL GRIFFIN and TYSHAWN A. HILL, and each of them, of the following crime:

Criminal Possession of a Controlled Substance in the Third Degree, in that they, the said MICHAEL GRIFFIN and TYSHAWN A. HILL, each being intentionally aided by the other, on or about the 13th day of January, 1993, in this County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, as listed in Schedule II(b)(4) of Section 3306 of the Public Health Law, with intent to sell the same.

SEVENTH COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment accuse MICHAEL GRIFFIN and TYSHAWN A. HILL, and each of them, of the following crime:

Criminal Possession of a Controlled Substance in the Fifth Degree, in that they, the said MICHAEL GRIFFIN and TYSHAWN A. HILL, each being intentionally aided by the other, on or about the 13th day of January, 1993, in this County, knowingly and unlawfully possessed five hundred milligrams or more of cocaine, as listed in Schedule II(b)(4) of Section 3306 of the Public Health Law.

EIGHTH COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment accuse MICHAEL GRIFFIN and TYSHAWN A. HILL, and each of them, of the following crime:

Criminal Sale of a Controlled Substance in the Third

Degree, in that they, the said MICHAEL GRIFFIN and TYSHAWN A. HILL, each being intentionally aided by the other, on or about the 24th day of January, 1993, in this County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine, as listed in Schedule II(b)(4) of Section 3306 of the Public Health Law, to an undercover police officer.

NINTH COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment accuse MICHAEL GRIFFIN and TYSHAWN A. HILL, and each of them, of the following crime:

Criminal Possession of a Controlled Substance in the Third Degree, in that they, the said MICHAEL GRIFFIN and TYSHAWN A. HILL, each being intentionally aided by the other, on or about the 24th day of January, 1993, in this County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, as listed in Schedule II(b)(4) of Section 3306 of the Public Health Law, with intent to sell the same.

TENTH COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment accuse MICHAEL GRIFFIN and TYSHAWN A. HILL, and each of them, of the following crime:

Criminal Possession of a Controlled Substance in the Fifth Degree, in that they, the said MICHAEL GRIFFIN and TYSHAWN A. HILL, each being intentionally aided by the other, on or about the 24th day of January, 1993, in this County, knowingly and unlawfully possessed five hundred milligrams or more of cocaine, as listed in Schedule II(b)(4) of Section 3306 of the Public

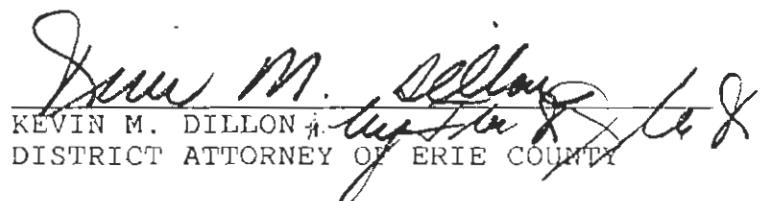
Health Law.

ELEVENTH COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment accuse MICHAEL GRIFFIN of the following crime:

Criminal Sale of a Controlled Substance in the Third Degree, in that he, the said MICHAEL GRIFFIN, on or about the 16th day of March, 1993, in this County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine, as listed in Schedule II(b)(4) of Section 3306 of the Public Health Law, to an undercover police officer.

TWELFTH COUNT: AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment accuse MICHAEL GRIFFIN of the following crime:

Criminal Possession of a Controlled Substance in the Third Degree, in that he, the said MICHAEL GRIFFIN, on or about the 16th day of March, 1993, in this County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, as listed in Schedule II(b)(4) of Section 3306 of the Public Health Law, with intent to sell the same.


KEVIN M. DILLON
DISTRICT ATTORNEY OF ERIE COUNTY

JUL 15 1993

No 93-1218-001 (S)

ERIE COUNTY

SUPREME
7-B

Term, 19 93

Arraigned the day of 19 ...
Plead Guilty.
Counsel.....

Filed day of JUL 15 1993
Clerk

THE PEOPLE
AGAINST

MICHAEL GRIFFIN
TYSHAWN A. HILL

Emergency
Clerk

INDICTMENT

MICHAEL GRIFFIN

Criminal Sale of a Controlled Substance in the Third Degree Section 220.39-1 P.L.
Criminal Possession of a Controlled Substance in the Third Degree Section 220.16-1 P.L.

MICHAEL GRIFFIN, TYSHAWN A. HILL

Criminal Sale of a Controlled Substance in the Third Degree Section 220.39-1, 20.00 P.L.
Criminal Possession of a Controlled Substance in the Third Degree Section 220.16-1, 20.00 P.L.
Criminal Possession of a Controlled Substance in the Fifth Degree Section 220.06-5, 20.00 P.L.

KEVIN M. DILLON

District Attorney

A TRUE BILL

Kevin M. Dillon
Foreperson